

U.S. Department of Justice
United States Marshals Service

PLAINTIFF UNITED STATES OF AMERICA	COURT CASE NUMBER 06 Cr. 1138
DEFENDANT JAMES MARQUEZ	TYPE OF PROCESS Publication
SERVE ▶ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Sandy Moo ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW: UNITED STATES ATTORNEY'S OFFICE SOUTHERN DISTRICT OF NEW YORK ONE SAINT ANDREW'S PLAZA NEW YORK, NY 10007-1703 ATTENTION: Abigail Seda	Number of process to be served with this Form 285 Number of parties to be served in this case Check for service on U.S.A.
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SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVER (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Server):

Fold

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Please publish the attached Notice of Publication once a week for three consecutive weeks in a paper of general circulation.

CATS #

Please return to Abigail Seda, 212-637-2559

Signature of Attorney or other Originator requesting service on behalf of: AUSA SHARON COHEN LEVIN /AS	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 212-637-1060	DATE 3/1/07
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. 54	District to Serve No. 54	Signature of Authorized USMS Deputy or Clerk <i>Sandy Moo</i>	Date 3/15/07
I heraby certify and return that I <input type="checkbox"/> have personally served, <input type="checkbox"/> have legal evidence of service, <input checked="" type="checkbox"/> have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.					
<input type="checkbox"/> I heraby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)					
Name and title of individual served (if not shown above)				A person of suitable age and discretion then residing in the defendant's usual place of abode.	
Address (complete only if different than shown above)				Date of Service 7/2/07 Time am pm <i>Sandy Moo</i> Signature of U.S. Marshal or Deputy	
Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal Amount of Refund

REMARKS: 7/2/07 - Notice was published in the New York Law Journal on 3/21, 3/28 & 4/4/07. (copy attached)

ORIGINAL

U.S. ATTORNEY COPY

STATE OF NEW YORK

County of New York, s:

MISCELLANEOUS

**NOTICE OF:
UNITED STATES
v. JAMES MARQUEZ
06 Cr. 1138 (CM)**

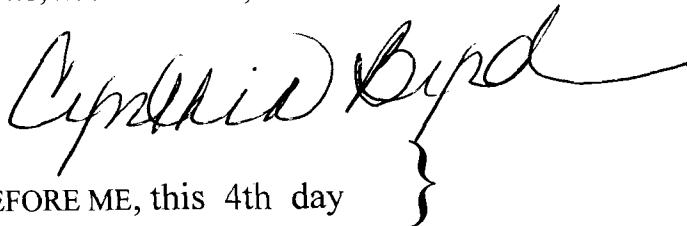
NOTICE IS HEREBY given that on January 29, 2007, in the case of United States v. JAMES MARQUEZ, 06 Cr. 1138 (CM), the United States District Court for the Southern District of New York entered a Preliminary Order of Forfeiture/Final Order of Forfeiture as to JAMES MARQUEZ condemning and forfeiting the defendant's interest in (a) 20,000 shares of common stock in Kfx Inc., stock certificate No. 7476; (b) 20,000 shares of common stock in Kfx Inc., stock certificate No. 7477; (c) 20,000 shares of common stock in Kfx Inc., stock certificate No. 7478; (d) 20,000 shares of common stock in Kfx Inc., stock certificate No. 7479; (e) 20,000 shares of common stock in Kfx Inc., stock certificate No. 7480; (f) 106,454 shares of common stock in HydroGen, stock certificate No. 640; (g) 70,026 shares of common stock in HydroGen, stock certificate No. 554; (h) 550,000 warrants to purchase common stock of ThermoEnergy Corp, identification no. W05-CW02, expiring on 07/15/08; (i) 341,211 warrants to purchase common stock of ThermoEnergy Corp, identification no. W05-PA3, expiring on 07/15/08; (j) 2004.3743 shares of series B-2 convertible participating preferred stock of Integrated Fuel Cell Technology; and, (k) all proceeds of the sale of the property at 1621 Gaspar Drive South, Boca Grande Isles, PB 29, PG6, Lot #4, Boca Grande, Florida 33921.

The Preliminary Order of Forfeiture having been entered on January 29, 2007, the United States hereby gives notice of its intention to dispose of the forfeited properties in such a manner as the United States Marshal may direct. Any person having or claiming a legal right, title or interest in the aforementioned property must file a petition within thirty (30) days of the final publication of this notice, which will be May 4, 2007. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

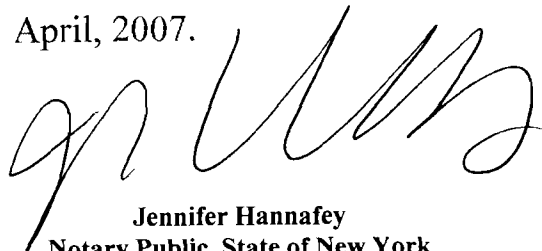
MICHAEL J. GARCIA
JOSEPH R. GUCCIONE
U.S. Attorney/SDNY
U.S. Marshal/SDNY
805062 m21-W a4

Cynthia Byrd, being duly sworn, says that she is the PRINCIPAL CLERK of the Publisher of the **NEW YORK LAW JOURNAL**, a Daily Newspaper; that the Advertisement hereto annexed has been published in the said **NEW YORK LAW JOURNAL** in each week for 3 successive weeks, commencing on the 21st day of March, 2007.

TO WIT: MARCH 21, 28, 2007 APRIL 4, 2007



SWORN TO BEFORE ME, this 4th day
Of April, 2007.



Jennifer Hannafey
Notary Public, State of New York
No. 01ha6128042
Qualified in Richmond County
Commission Expires June 09, 2009

RECEIVED
2007 MAY 11 AM 10:30
U.S. DISTRICT COURT
SOUTHERN DISTRICT
NEW YORK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

[illegible]

Plaintiff,

- V -

JAMES MARQUEZ,

Defendant.

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NOTICE OF PUBLICATION

06 Cr. 1138

[illegible]

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for the United States of America
One St. Andrew's Plaza
New York, New York 10007
(212) 637-1060

SHARON COHEN LEVIN
Assistant United States Attorney
-Of Counsel-